

REMARKS

Claims 3-7, 9, 33-36, 66-75 and 77-82 are currently pending in this application. Claims 2, 8, 32, 64, 65 and 76 have been cancelled in this response without prejudice to pursuing these claims in a continuation, continuation-in-part, divisional, or other application. Claims 3-7, 9, 33-36, 66, 69-71, 74, 75 and 77-82 have been amended in this response. More specifically, claims 33, 70, 75, 81 and 82 have been rewritten in independent form without narrowing or otherwise changing the scope of these claims.

In the Office Action mailed July 13, 2006, claims 2-9, 32, 34-36, 64-69, 71-74 and 76-80 were rejected. More specifically, the status of the application in light of this Office Action is as follows:

(A) Claims 2 and 4-9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of U.S. Patent No. 6,335,208 to Lowry et al. ("Lowry") and U.S. Patent No. 5,723,900 to Kojima et al. ("Kojima");

(B) Claims 2-9, 32, 34-36, 64-69, 71-74 and 76-80 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of U.S. Patent No. 6,218,731 to Huang ("Huang"), Kojima, and Lowry;

(C) Claims 64, 65, 69, 74, 76 and 78-80 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Huang and Kojima; and

(D) Claims 33, 70, 75, 81 and 82 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form to include the features of the claims from which they depend.

A. Response to the Section 103(a) Rejection of Claims 2 and 4-9

Claims 2 and 4-9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Lowry and Kojima. Claims 2 and 8 have been cancelled in this response and therefore the rejection of these claims is now moot. Claims 4-7 and 9 have been amended to

depend from claim 33, which was indicated to be allowable. Accordingly, the Section 103(a) rejection of claims 4-7 and 9 should be withdrawn.

B. Response to the Section 103(a) Rejection of Claims 2-9, 32, 34-36, 64-69, 71-74 and 76-80

Claims 2-9, 32, 34-36, 64-69, 71-74 and 76-80 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Huang, Kojima, and Lowry. Claims 2, 8, 32, 64, 65 and 76 have been cancelled in this response and therefore the rejection of these claims is now moot. Claims 3-7, 9 and 34-36 have been amended to depend from claim 33, which was indicated to be allowable. Claims 66-69 have been amended to depend from claim 70, which was indicated to be allowable. Claims 71-74 have been amended to depend from claim 75, which was indicated to be allowable. Claims 77-80 have been amended to depend from claim 82, which was indicated to be allowable. Accordingly, the Section 103(a) rejection of claims 3-7, 9, 34-36, 66-69, 71-74 and 77-80 should be withdrawn.

C. Response to the Section 103(a) Rejection of Claims 64, 65, 69, 74, 76 and 78-80

Claims 64, 65, 69, 74, 76 and 78-80 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Huang and Kojima. Claims 64, 65 and 76 have been cancelled in this response and therefore the rejection of these claims is now moot. Claim 69 has been amended to depend from claim 70, which was indicated to be allowable. Claim 74 has been amended to depend from claim 75, which was indicated to be allowable. Claims 78-80 have been amended to depend from claim 82, which was indicated to be allowable. Accordingly, the Section 103(a) rejection of claims 69, 74 and 78-80 should be withdrawn.

D. Response to Indication of Allowable Subject Matter

Claims 33, 70, 75, 81 and 82 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form to include the features of the claims from which they depend. Claims 33, 70, 75, 81 and 82 have been amended accordingly and therefore the objection to these claims should be withdrawn.

Although the applicant's attorney agrees with the Examiner's conclusion that claims 33, 70, 75, 81 and 82 are allowable, the applicant's attorney notes that the claims may be allowable for reasons other than those identified by the Examiner and does not concede that the Examiner's characterization of the terms of the claims and the prior art are correct.

E. Conclusion

In view of the foregoing, the pending claims comply with 35 U.S.C. § 112 and are patentable over the applied art. The applicant accordingly requests reconsideration of the application and a Notice of Allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to contact David Dutcher at (206) 359-6465.

Date: 11/9/06

Respectfully submitted,

Perkins Coie LLP



David T. Dutcher

Registration No. 51,638

Correspondence Address:

Customer No. 25096

Perkins Coie LLP

P.O. Box 1247

Seattle, Washington 98111-1247

(206) 359-8000